

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES,)
Plaintiff,)
) Case No. 14-3104-CR-S-MDH
)
v.)
)
)
SCOTT GOODWIN-BEY,)
Defendant)

DEFENDANT'S MOTION FOR CONTINUANCE OF TRIAL DOCKET SETTING

COMES NOW the defendant, by his counsel herein, and respectfully requests that the Court continue this case off of the current trial docket setting, and to reset the matter for trial on the February, 2016 trial docket. In support, counsel sets forth as follows:

1. Defendant herein is charged with one count of possessing a firearm and ammunition as a prohibited person, having previously been convicted of a felony offense, in violation of 18 U.S.C. 922(g). Defendant is also charged in the circuit court of Greene County, Missouri, with four (4) counts of first-degree murder. Prosecutors claim that the gun and ammunition which defendant possessed match the bullets recovered from the deceased victims. Defendant is being held in custody without bond.

2. Counsel herein is appointed to represent defendant, and is the third attorney to represent defendant in this matter. The two previous counsel were

allowed to withdraw due to irreconcilable disagreement with defendant, and at defendant's request.

3. Counsel and defendant have met twice to discuss the details of this case, with progress having been made in both meetings. Counsel has received the government's discovery file, which includes video surveillance recordings of the area where the alleged crime is said to have occurred. Also, counsel has requested additional items of investigative discovery from the AUSA, which should arrive within the next few days. All of this will need to be reviewed by and with defendant at the Greene County jail.

4. It is apparent to counsel that this case will very likely go to trial. It is also apparent that a motion to suppress will likely need to be filed, with a hearing requested, to address issues regarding the constitutionality of the stop, the detention, and the subsequent out of court identification, of the defendant. Counsel cannot fully analyze and research any suppression issues until the discovery is complete, and until he has had an opportunity to review same with defendant.

5. Counsel has conferred with AUSA Kelleher about this motion, and the government does not object to a continuance of this trial setting. Due to other trials and hearings already set on counsel's schedule, and because of the work yet to be performed on this case, counsel respectfully requests that this case be reset on the Court's February, 2016, joint criminal trial docket.

WHEREFORE, counsel requests that the Court grant the relief requested herein and for such other relief as deemed appropriate.

Sincerely,

/s/Shane P. Cantin (#41699)

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CERTIFICATE OF SERVICE

On this 18th day of August, 2015, a copy of the foregoing motion was filed on the Court's ECF electronic filing system with copies to all counsel.

/s/ Shane P. Cantin